

Pro Se 7 (Rev. 10/16) Complaint for Employment Discrimination

United States District Court
for the
NORTHERN DISTRICT OF ALABAMA

FILED

2023 JAN 25 A 11:48

U.S. DISTRICT COURT
N.D. OF ALABAMA

Plaintiff,
(Write your full name. No more than one plaintiff may be named in a pro se complaint)

Leslie Patton

v.

Sanmina - SCI Corp

Case No. 5:23-cv-103 MHH
(to be filled in by the Clerk's Office)JURY TRIAL ☐ Yes ☐ No

Defendant(s),
(Write the full name of each defendant who is being sued. If the names of all defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names)

COMPLAINT FOR EMPLOYMENT DISCRIMINATION**I. The Parties to This Complaint****A. The Plaintiff**

Name Leslie Patton
Street Address 3516 Maggie Ave
City and County Huntsville, Madison
State and Zip Code Alabama, 35810
Telephone Number 256/337-0895
E-mail Address (if known) _____

- ☐ Check here to receive electronic notice through the e-mail listed above. By checking this box, the undersigned consents to electronic service and waives the right to personal service by first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2), except with regard to service of a summons and complaint. The Notice of Electronic Filing will allow one free look at the document, and any attached PDF may be printed and saved.

01/24/2023
Date

Leslie Patton
Participant Signature

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II. Basis for Jurisdiction**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Defendant No. 1

Name Sanmina - SCI Corp
 Job or Title (*if known*) _____
 Street Address 13000 S Memorial Parkway
 City and County Huntsville, Madison
 State and Zip Code Alabama 35803
 Telephone Number 256-882-4800
 E-mail Address (*if known*) _____

Defendant No. 2

Name Michelle M Ross
 Job or Title (*if known*) Senior Manager, Human Resources
 Street Address 13000 S. Memorial Parkway
 City and County Huntsville, Madison
 State and Zip Code Alabama 35803
 Telephone Number 256-882-4800
 E-mail Address (*if known*) _____

Defendant No. 3

Name Alyssa Gorham
 Job or Title (*if known*) Human Resource Rep
 Street Address 13000 S Memorial Parkway
 City and County Huntsville, Madison
 State and Zip Code Alabama 35803
 Telephone Number 256 882-4800
 E-mail Address (*if known*) _____

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Defendant No. 4

Name Rod Sims
 Job or Title (if known) Director of Operations
 Street Address 13000 S Memorial Parkway
 City and County Huntsville, Madison
 State and Zip Code Alabama 35803
 Telephone Number 256-882-4800
 E-mail Address (if known) _____

C. Place of Employment

The address at which I sought employment or was employed by the defendant(s) is:

Name Sanmina-SCI Corporation
 Street Address 13000 S Memorial Parkway
 City and County Huntsville, Madison
 State and Zip Code Alabama 35803
 Telephone Number 256-882-4800

II. Basis for Jurisdiction

This action is brought for discrimination in employment pursuant to (check all that apply):

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race color, gender, religion, national origin).

(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)

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- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)

- ☒ Other federal law (specify the federal law):

(Section 1981 to Title 42 of the United States Code)
Relevant state law (specify, if known):

Relevant city or county law (specify, if known):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me
☐ Termination of my employment
☐ Failure to promote me
☐ Failure to accommodate my disability
☐ Unequal terms and conditions of my employment
☐ Retaliation

- ☒ Other acts (specify): Promotion, Religion, Defamation of Character

(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)

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B. It is my best recollection that the alleged discriminatory acts occurred on date(s):

January 26, 2021

C. I believe that defendant(s) (check one):

- ☒ is/are still committing these acts against me
☐ is/are not still committing these acts against me

D. Defendant(s) discriminated against me based on my (check all that apply and explain):

- ☐ race _____
☐ color _____
☐ gender/sex _____
☒ religion _____
☐ national origin _____
☐ age (year of birth) _____
(only when asserting a claim of age discrimination)
☐ disability or perceived disability (specify disability) _____

E. The facts of my case are as follows. Attach additional pages if needed. _____

Refer to Exhibit 1

(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)

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IV. Exhaustion of Federal Administrative Remedies

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on (date): _____

04/02/2021

- B. The Equal Employment Opportunity Commission (check one):

☐ has not issued a Notice of Right to Sue letter

☒ issued a Notice of Right to Sue letter, which I received on (date): _____

06/22/2022

(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)

- C. Only litigants alleging age discrimination must answer this question:

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct (check one):

☐ 60 days or more have elapsed

☐ less than 60 days have elapsed

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

The Plaintiff Leslie Patton prays that this Court:
Enter judgment in favor of Mr Patton against the Defendants
for violation of Mr Patton's Rights under Title VII and section
1981. The Plaintiff suffer from depression, humiliation,
degradation, emotional distress, other consequential
damages and around \$20K in wages.
The Plaintiff is seeking \$500K in total damages

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VI. Certification and Closing

Under Rule 11 of the Federal Rules of Civil Procedure, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of Signing: January 24, 2023

Signature of Plaintiff: 

Printed Name of Plaintiff: Leslie Patton

B. For Attorneys

Date of Signing: _____

Signature of Attorney: _____

Printed Name of Attorney: _____

Bar Number: _____

Name of Law Firm: _____

Street Address: _____

State and Zip Code: _____

Telephone Number: _____

E-mail Address: _____

3516 Maggie Ave
Huntsville, Al 35810

September 22, 2022

STATEMENT OF CLAIM

Claim 1

On January 26, 2021 in a meeting with Mrs. Gorham, Mrs. Ross and Mr. Sims I Leslie Patton was informed that I was being demoted for talking about religion and politics. On separate occasion I was told by Mrs. Ross and Mrs. Gorham that my demotion was due to the discussion of religion. This meeting was held in the human resource department. My promotion was taken from me.

Claim 2

After returning to work from being on administrative leave for a month I started hearing that my character was defamed due to the rumor that I harassed a coworker. I requested a meeting with human resource and Rod Sims and Alyssa Gorham were present for that meeting. I was told if I wanted to pursue a supervisor position again I should ignore what is being said about me. Instead of the management and HR addressing the individual that started defaming my character they allowed it to spread.

Exhibit 1.

The Facts of the case are as followed:

Title VII of the Civil Rights Act of 1964 (Title VII) makes it unlawful to discriminate against someone on the basis of religion.

Under defamation law, an employer is liable for the reputational harm caused to an employee if they publish false, unprivileged statements about them.

What happen to me falls under 4 Elements of Defamation

- The Person Being Defamed Was Identified By The Statement. ...
- The Remarks Had A Negative Impact On The Person's Reputation. ...
- The Published Information Is Demonstrably False. ...
- The Defendant Is At Fault.

Because of my place of employment I experience the following:

1. Not sleeping or getting less than 3 hours a night.
2. Not following through with the activities I plan for my kids/family
3. Not being able to focus or concentrate
4. Weight gain
5. Feeling my work place is a toxic place
6. Feeling sick after arriving to work.
7. I no longer felt comfortable around my coworkers and stop eating at my work for over a year
8. Anxiety attacks at work
9. Having my name defame at work and being told to look the other way.
10. Having to drag myself out of bed just to go to work.
11. Drinking more than normal
12. Missed multiple hours of work